

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

ROBERT ANTHONY HOUSE,

Plaintiff,

vs.

RYAN YOUNG AND KYLE SOLON,

Defendants.

CV 20-00068-H-CCL

ORDER

Plaintiff Robert House, a prisoner proceeding without counsel, filed this civil rights suit pursuant to 42 U.S.C. § 1983. Mr. House was allowed to proceed in forma pauperis under 28 U.S.C. § 1915. See, (Doc. 4.) On January 2, 2021, Defendants filed a Motion to Dismiss. (Doc. 15.) Mr. House failed to timely respond to the motion. He was subsequently directed to file a response by March 17, 2021, explaining why the matter should not be dismissed based upon his failure to prosecute. (Doc. 17.)

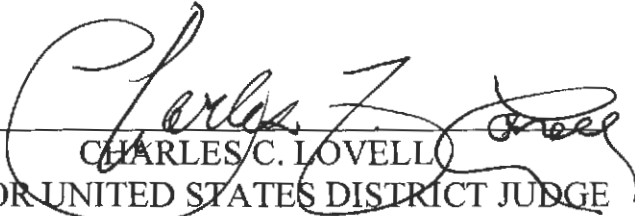
On March 15, 2021, Mr. House filed his response, styled as a Motion to Dismiss, seeking voluntary dismissal of this matter. (Doc. 18.) Mr. House explains that since his transfer to FCI Sheridan in October of 2020, the facility has been in a modified lockdown due to COVID-19. *Id.* at 1. Mr. House has been confined to his unit, without access to the law library and with limited access to legal and writing materials. *Id.* at 1-2. Mr. House apparently has attempted to

secure the assistance of a Case Manager but has not received a response to his communications. *Id.* at 2. Accordingly, Mr. House requests that this matter be dismissed. *Id.*

The matter will be dismissed, but given the compelling circumstances explained by Mr. House, dismissal will be without prejudice.

IT IS HEREBY ORDERED that the Motions to Dismiss that have been filed in this matter (Docs. 15 & 18) are GRANTED and this matter is DISMISSED WITHOUT PREJUDICE.

DATED this 17th day of March, 2021.



CHARLES C. LOVELL
SENIOR UNITED STATES DISTRICT JUDGE